

**STATEMENT OF PROPOSED POLICY  
CONCERNING PUBLIC RELEASE OF JUROR INFORMATION**  
*Comments to this proposal can be made online at <http://www.mdd.uscourts.gov>*

In several recent cases requests have been made by members of the media for the names and addresses of jurors. These requests have prompted us to formulate a proposed written policy concerning the public dissemination of juror information. Because this is an issue that affects the interest of litigants, the media, and potential jurors, we invite public comments about the proposed policy.

The proposed policy is as follows:

1. The names of jurors shall not be placed on the public record in any case in which the presiding judge determines that there exists a realistic threat of violence or jury corruption.

2. Absent a request, jurors' names shall not be placed on the public record in any case in which the presiding judge determines that jurors might reasonably perceive that there exists a realistic threat of violence. If a request is made for the names of the jurors in any such case, the presiding judge will defer decision on the issue until the jury has returned its verdict or declared its inability to do so.

After conferring with the jurors, the judge will determine whether the names of some or all of the jurors should be placed on the public record. In making that determination the judge shall consider (but not give conclusive effect to) the objections of any jurors to disclosure of their names. Unless otherwise found by the presiding judge in a particular case, any case involving a charge of murder, assault, kidnapping, a weapons violation, or drug distribution shall be deemed to be a case in which a juror could reasonably perceive that there exists a realistic threat of violence.

3. In any case not involving a realistic threat of violence or jury corruption or a juror's reasonable perception of a threat of violence, the names of the jurors shall be placed upon the public record at the request of any person.

4. Unless the presiding judge finds good reason not to do so in a particular case, the names of persons on the venire panel who are not selected as jurors shall be placed on the public record at the request of any person.

We recognize that this proposed policy is somewhat more restrictive than that directed by the United States Court of Appeals for the Fourth Circuit in In re the Baltimore Sun Company, 841 F.2d 74 (4th Cir. 1988). Nevertheless, we believe it to be necessary and appropriate. Since In re the Baltimore Sun Company was decided, increasing numbers of cases involving violent defendants and firearms charges have been instituted in the district.<sup>1</sup> As a result, jurors and potential jurors have increasingly expressed concerns about their safety. We cannot ignore those expressions of concern and abdicate our responsibility to citizens who answer the call to jury service. The policy we propose is designed to assure that they may have confidence that the judicial system will protect their interests while simultaneously serving the wider interests of the public at large articulated by the Fourth Circuit in In re the Baltimore Sun Company.<sup>2</sup>

---

<sup>1</sup>Because of the changed nature of our criminal caseload, we no longer include the addresses of jurors on the venire list provided to counsel as we did when In re the Baltimore Sun Company was decided. Our present practice is more akin to that which apparently had been followed for many years in the Abingdon Division of the United States District Court for the Western District of Virginia, alluded to in footnote one of the In re the Baltimore Sun Company decision. 841 F.2d at 75 n.1. The Abingdon list contained only names of jurors.

<sup>2</sup>Significantly, the Fourth Circuit emphasized that its Baltimore Sun opinion did not deal with a situation “in which there existed realistic threats of violence or jury corruption.” 841 F.2d at 76 n.5.



Any comments about this proposed policy should be submitted on or before January 8, 2001.

They may be sent to Felicia Cannon, Clerk of the Court, 101 West Lombard Street, Baltimore,

Maryland 21201, or to a special mailbox entitled “Comments Re Proposed Juror Information Policy”

on our website at [http://www.mdd.uscourts.gov/News/New/juror\\_policy.htm](http://www.mdd.uscourts.gov/News/New/juror_policy.htm)